

20. (New) The method as in claim 18, wherein the high-frequency disturbance signal has a frequency of about 20 kHz. --

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-9, 11-20 are presently active in this case, Claims 2, and 10 having been canceled without prejudice or disclaimer, Claims 1, 8, and 9 having been amended, and new Claims 18-20 having been added.

In the outstanding Office Action, Claims 1, 8, and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,394,274 to Kahn. Claims 2-7 and 10-17 were objected to as being dependent upon a rejected base claim.

In response to the rejection under 35 U.S.C. §102(b), Applicants have amended Claims 1, 8, and 9 to include subject matter objected to at Claims 2 and 10, respectively. Amended Claims 1, 8, 9, and their respective dependent claims are now believed to be in condition for allowance.

The Office Action enclosed a Notice of Draftspersons' Patent Drawing Review which requires margin corrections, etc. to Figures 1-12. Applicants respectfully submit that revised drawings would be filed upon receiving a formal notice of allowance and prior to the payment of the issue fee.

Kahn discloses a system for preventing the unauthorized copying of audio or video recording by (1) processing the recorded material so as to identify the protected material in a manner that does not audibly distort the program material, and (2)

processing the recorded material by a second method that produces audible artifacts.

Kahn adds inaudible signal to a program material so as to identify the program material as “not to be copied.”

Accordingly, Kahn fails to teach or suggest a method of preventing copying an audio signal, the method including “mixing the audio signal with a non-audible disturbance signal, wherein the mixing step includes at least adding a low-frequency disturbance signal to the audio signal or multiplying the audio signal with a high-frequency disturbance signal” as recited in new Claim 18. It is therefore believed that new Claim 18 and its dependent claims are in condition for allowance. Support for new Claims 18-20 can be found at least at page 4, lines 20-30 and page 5, lines 15-20 of the present specification.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested. While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is requested that the Examiner contact the undersigned at 703-413-3000.

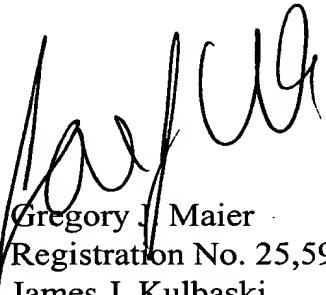
Respectfully submitted,

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IN THE CLAIMS

Please cancel Claims 2, 10, and amend Claims 1, 8, and 9 as shown below:

1. (Amended) A method of protecting an audio signal against copying, the method comprising the step of mixing the audio signal with at least [one]a first non-audible disturbance signal, wherein said first disturbance signal is a low-frequency signal having a frequency of about 2 Hz.

2. (Canceled)

8. (Amended) An information carrier comprising a recording medium storing an audio signal[which is], said audio signal is copy protected by mixing the audio signal, prior to storing, with at least one non-audible disturbance signal having a frequency in the range of 1 Hz to 10 Hz.

9. (Amended) A device for protecting audio signals against copying, the device comprising:

signal generation means for generating at least one non-audible disturbance signal[,];

mixing means for mixing the at least one disturbance signal with the audio signal, wherein said mixing means includes adding means; and output means for outputting the resulting mixed audio signal.

10. (Canceled)

18-20. (New)